No. 01-518-CFX Title: BE&K Construction Company, Petitioner
v.
National Labor Relations Board, et al.

Docketed: September 26, 2001 Court: United States Court of Appeals for the Sixth Circuit

Entry	Date	Proceedings and Orders
	Sep 25 2001	Petition for writ of certiorari filed. (Response due December 5, 2001)
	Oct 18 2001	Order extending time to file response to petition until November 26, 2001.
	Oct 18 2001	This extension is granted for all respondents.
	Nov 19 2001	Order further extending time to file response to petition until December 5, 2001.
	Nov 19 2001	This extension is granted for all respondents.
	Dec 5 2001	Brief of respondent National Labor Relations Board in opposition filed.
	Dec 5 2001	Brief of Intervenor-Respondents in opposition filed.
	Dec 5 2001	Brief amici curiae of Chamber of Commerce of the United States, et al. filed.
	Dec 18 2001	Reply brief of petitioner BE&K Construction Co. filed.
	Dec 19 2001	DISTRIBUTED for Conference of January 4, 2002
	Jan 4 2002	Petition GRANTED. limited to the following question: "Did the Court of Appeals err in holding that under Bill Johnson's Restaurants, Inc. v. NLRB, 461 U.S. 731 (1983), the NLRB may impose liability on an employer for filing a losing retaliatory lawsuit, even if the employer could show the suit was not objectively baseless under Professional Real Estate Inventors, Inc. v. Columbia Pictures Industries, Inc., 508 U.S. 49 (1993)?" SET FOR ARGUMENT April 16, 2002. **********
	Feb 19 2002	Brief of petitioner BE&K Construction Co. filed.
	Feb 19 2002	Joint appendix filed.
	Feb 19 2002	Brief amicus curiae of Society for Human Resource Management and LPA, Inc. filed.
	Feb 19 2002	Brief amici curiae of Chamber of Commerce of the United States, et al. filed.
	Feb 28 2002	Record filed.
	Mar 1 2002	CIRCULATED.
	Mar 21 2002	Brief of respondent National Labor Relations Board filed.
	Mar 21 2002	Brief of respondents International Brotherhood of Electrical Workers,#302, et al. filed.
	Apr 4 2002	Reply brief of petitioner BE&K Construction Co. filed.
	Apr 8 2002	Letter from Deputy Solicitor General received and distributed.
	Apr 16 2002	ARGUED.
	Apr 18 2002	LODGING consisting of twenty five copies of a letter and NLRB Annual Report for 1999, submitted by the Solicitor General and distributed.
	Jun 24 2002	Adjudged to be REVERSED and REMANDED O'Connor, J., delivered the opinion of the Court, in which Rehnquist,

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Entry	Date	Proceedings and Orders
		C.J., and Scalia, Kennedy, and Thomas, JJ., joined. Scalia, J., filed a concurring opinion, in which Thomas, J., joined. Breyer, J, filed an opinion concurring in part and concurring in the judgment, in which Stevens, Souter, and Ginsburg, JJ., joined.